

## RENOTICE ATTACHMENT – 1/26/10

### **3000. Definitions.**

Non-Revocable Parole is a form of unsupervised community release pursuant to the provisions of Penal Code section 3000.03, wherein the parolee is not subject to placement of a parole hold, revocation, or referral to the Board of Parole Hearings for violation of any condition of parole.

### **3505. Non-Revocable Parole.**

(a) Inmate/parolees who meet the following criteria shall be placed on non-revocable parole, as described in section 3000, and pursuant to Penal Code (PC) section 3000.03:

(1) Is not required to register as a sex offender pursuant to Chapter 5.5 (commencing with section 290) of Title 9 of Part 1 of the PC.

(2) Does not have a commitment offense that is a serious felony as defined in PC sections 1192.7 and 1192.8, or a violent felony, as defined in PC section 667.5.

(3) Does not have a prior conviction for a serious felony as defined in PC sections 1192.7 and 1192.8, or a violent felony, as defined in PC section 667.5.

(4) Does not have a current or prior conviction for a sexually violent offense as defined in Welfare and Institutions Code, section 6600(b).

(5) Has not been found guilty of a serious disciplinary offense as defined in this section.

(6) Is not validated as an active or inactive prison gang member or associate as defined in section 3378(c) by the Chief, Office of Correctional Safety, or a designee.

(7) Has signed a notification of parole requirements which include, but are not limited to an agreement to search by law enforcement pursuant to PC section 3067.

(8) Has a low or moderate probability of felony arrest after release to parole upon assessment of risk pursuant to section 3768.1.

(b) Notwithstanding any other provision of this Title, the department is not required to provide services or programs for parolees on non-revocable parole.

(c) For purposes of this section, a serious disciplinary offense is defined as an act of misconduct during the current term of imprisonment, with the exception of possession of inmate manufactured alcohol, which resulted in a finding of guilt for a Division A through C offense pursuant to section 3323 (a) through (e).

NOTE: Authority cited: Section 5058.3, Penal Code. Reference 3000.03, 3067, and 5054 Penal Code.